



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5197

by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

- 40 ILCS 5/3-110.8
- 40 ILCS 5/3-110.10
- 40 ILCS 5/7-139.11
- 40 ILCS 5/7-139.13
- 30 ILCS 805/8.32 new

Amends the Illinois Pension Code. In the Downstate Police Article, provides that, until January 1, 2009, an active member of the Illinois Municipal Retirement Fund may transfer up to 8 years of creditable service in a police pension fund under the Article to the Illinois Municipal Retirement Fund. In the Illinois Municipal Retirement Fund Article, provides that, until January 1, 2009, a person who has become an active participant in a police pension fund may transfer up to 8 years of creditable service under the Illinois Municipal Retirement Fund to that police pension fund. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 17984 AMC 44067 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Sections 3-110.8 and 7-139.11 and by renumbering and changing
6 Section 3-110.9 as added by Public Act 95-530 and Section
7 7-139.12 as added by Public Act 95-530 as follows:

8 (40 ILCS 5/3-110.8)

9 Sec. 3-110.8. Transfer to IMRF.

10 (a) Until January 1, 2009 ~~2008~~, any active member of the
11 Illinois Municipal Retirement Fund may apply to transfer up to
12 ~~who has less than~~ 8 years of creditable service in a police
13 pension fund under this Article, ~~may apply for transfer of his~~
14 ~~or her creditable service accumulated in that fund~~ to the
15 Illinois Municipal Retirement Fund. The creditable service
16 shall be transferred upon payment by the police pension fund to
17 the Illinois Municipal Retirement Fund of an amount equal to:

18 (1) the amounts accumulated to the credit of the
19 applicant on the books of the fund on the date of transfer;
20 and

21 (2) employer contributions in an amount equal to the
22 amount determined under subparagraph (1); and

23 (3) any interest paid by the applicant in order to

1 reinstate service.

2 Participation in this Fund shall terminate on the date of
3 transfer.

4 (b) Until January 1, 2009 ~~2008~~, any member under subsection
5 (a) may reinstate service which was terminated by receipt of a
6 refund, by payment to the police pension fund of the amount of
7 the refund with interest thereon at the rate of 6% per year,
8 compounded annually, from the date of refund to the date of
9 payment.

10 (Source: P.A. 94-356, eff. 7-29-05; 95-530, eff. 8-28-07.)

11 (40 ILCS 5/3-110.10)

12 Sec. 3-110.10 ~~3-110.9~~. Transfer from Article 7. Until
13 January 1, 2009 ~~2008~~, a person may transfer to a fund
14 established under this Article up to 8 years of creditable
15 service accumulated under Article 7 of this Code upon payment
16 to the fund of an amount to be determined by the board, equal
17 to (i) the difference between the amount of employee and
18 employer contributions transferred to the fund under Section
19 7-139.11 and the amounts that would have been contributed had
20 such contributions been made at the rates applicable to an
21 employee under this Article, plus (ii) interest thereon at the
22 effective rate for each year, compounded annually, from the
23 date of service to the date of payment.

24 (Source: P.A. 95-530, eff. 8-28-07; revised 12-6-07.)

1 (40 ILCS 5/7-139.11)

2 Sec. 7-139.11. Transfer to Article 3 pension fund.

3 (a) Until January 1, 2009 ~~2008~~, a person who has become an
4 active participant in a police pension fund established under
5 Article 3 of this Code may transfer up to ~~who has less than 8~~
6 years of creditable service under this Article ~~and who has~~
7 ~~become an active participant in a police pension fund~~
8 ~~established under Article 3 of this Code may apply for transfer~~
9 to that Article 3 fund ~~of his or her creditable service~~
10 ~~accumulated under this Article~~. At the time of the transfer the
11 Fund shall pay to the police pension fund an amount equal to:

12 (1) the amounts accumulated to the credit of the
13 applicant under this Article, including interest; and

14 (2) the municipality credits based on that service,
15 including interest; and

16 (3) any interest paid by the applicant in order to
17 reinstate that service.

18 Participation in this Fund with respect to the transferred
19 credits shall terminate on the date of transfer.

20 (b) An active member of a pension fund established under
21 Article 3 of this Code may reinstate creditable service under
22 this Article that was terminated by receipt of a refund, by
23 paying to the Fund the amount of the refund plus interest
24 thereon at the rate of 6% per year, compounded annually, from
25 the date of refund to the date of payment.

26 (Source: P.A. 94-356, eff. 7-29-05; 95-530, eff. 8-28-07.)

1 (40 ILCS 5/7-139.13)

2 Sec. 7-139.13 ~~7-139.12~~. Transfer from Article 3. Until
3 January 1, 2009 ~~2008~~, a person may transfer to the Illinois
4 Municipal Retirement Systems up to 8 years of creditable
5 service accumulated under Article 3 of this Code upon payment
6 to the Fund of an amount to be determined by the board, equal
7 to (i) the difference between the amount of employee and
8 employer contributions transferred to the Fund under Section
9 3-110.8 and the amounts that would have been contributed had
10 such contributions been made at the rates applicable to an
11 employee under this Article, plus (ii) interest thereon at the
12 effective rate for each year, compounded annually, from the
13 date of service to the date of payment.

14 (Source: P.A. 95-530, eff. 8-28-07; revised 12-6-07.)

15 Section 90. The State Mandates Act is amended by adding
16 Section 8.32 as follows:

17 (30 ILCS 805/8.32 new)

18 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8
19 of this Act, no reimbursement by the State is required for the
20 implementation of any mandate created by this amendatory Act of
21 the 95th General Assembly.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.